

EXHIBIT 1

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HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

Case No.

UBER TECHNOLOGIES, INC.; 3:17-cv-00939-WHA

OTTOMOTTO LLC; OTTO

TRUCKING, INC.,

Defendants.

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VIDEOTAPED DEPOSITION OF JOHN KRAFCIK

REDWOOD SHORES, CALIFORNIA

WEDNESDAY AUGUST 2, 2017

BY: ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR ~

CSR LICENSE NO. 9830

JOB NO. 2661281

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1 UNITED STATES DISTRICT COURT	1 A P P E A R A N C E S: (Cont.)
2 NORTHERN DISTRICT OF CALIFORNIA	2
3 SAN FRANCISCO DIVISION	3 FOR THE DEFENDANTS UBER TECHNOLOGIES INC.;
4	4 OTTOMOTO:
5 WAYMO LLC,	5
6 Plaintiff,	6 MORRISON & FOERSTER LLP
7 vs. Case No.	7 By: ARTURO GONZALEZ, Esq.
8 UBER TECHNOLOGIES, INC.; 3:17-cv-00939-WHA	8 BRYAN J. WILSON, Esq. (Palo Alto Office)
9 OTTOMOTTO LLC; OTTO	9 425 Market Street
10 TRUCKING, INC.,	10 San Francisco, California 94105
11 Defendants.	11 Phone: 415.268.7000
12 _____/	12 agonzalez@mofo.com
13	13
14	14 BOIES SCHILLER FLEXNER LLP
15	15 By: FIONA TANG, Esq.
16 Videotaped Deposition of JOHN KRAFCIK, taken	16 1999 Harrison Street, Suite 900
17 on behalf of the Plaintiff, on August 2, 2017, at	17 Oakland, California 94612
18 Quinn Emanuel Urquhart & Sullivan, LLP,	18 Phone: 510.874.1000
19 550 Twin Dolphin Drive, Redwood Shores, California,	19 ftang@bsflp.com
20 beginning 9:03 a.m., and commencing at 4:25 p.m.,	20
21 Pursuant to Notice, and before me,	21 ALSO PRESENT:
22 ANDREA M. IGNACIO, CSR, RPR, CRR, CLR ~ License	22 Ken Reeser, Videographer
23 No. 9830.	23 David Tressler, Waymo
24	24
25	25
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1 A P P E A R A N C E S:	1 I N D E X
2	2
3 FOR THE PLAINTIFFS:	3 WITNESS: JOHN KRAFCIK
4	4 EXAMINATION PAGE
5 QUINN EMANUEL URQUHART & SULLIVAN LLP	5 By Mr. Gonzalez 10
6 By: CHARLES VERHOEVEN, Esq.	6 By Mr. Schuman 177
7 JEFF NARDINELLI, Esq.	7 By Mr. Wilson 281
8 555 Twin Dolphin Drive, 5th Floor	8
9 Redwood Shores, California 94065	9
10 Phone: 650.801.5000	10 E X H I B I T S
11 charlesverhoeven@quinnemanuel.com	11 EXHIBIT PAGE
12	12 Exhibit 1245 9-23-15 Letter, Bates 66
13 FOR THE DEFENDANTS OTTO TRUCKING, INC.:	13 WAYMO-UBER-00014482 - '88
14	14 Exhibit 1246 2-9-17 Email, Subject: Possible 86
15 GOODWIN & PROCTER LLP	15 SDC Spotted in Chandler, Bates
16 By: BRETT SCHUMAN, Esq.	16 WAYMO-UBER-00000299 - '300
17 Three Embarcadero Center	17 Exhibit 1247 Anthony Levandowski 12-18-15 69
18 San Francisco, California 94111	18 Text Messages, Bates
19 Phone: 415.733.6044	19 WAYMO-UBER-00033601 - 608
20 bschuman@goodwinlaw.com	20 Exhibit 1248 8-19-16 Email, Subject: 90
21	21 [REDACTED], Bates
22	22 WAYMO-UBER-00012362 - '63
23	23 Exhibit 1249 11-20-15 Email, Subject: Anthony, 100
24	24 Bates WAYMO-UBER-00011542
25	25
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1	MR. VERHOEVEN: We'll wait here.	16:22	1	J U R A T
2	THE VIDEOGRAPHER: Don't forget your	16:22	2	
3	microphones, please.	16:22	3	I, John Krafcik, do hereby certify under
4	The time is 4:22 p.m. We're off the record.	16:22	4	penalty of perjury, that I have read the foregoing
5	(Recess taken.)	16:22	5	transcript of my deposition in the matter of Waymo LLC
6	THE VIDEOGRAPHER: The time is 6 -- excuse	16:24	6	vs. Uber Technologies, Inc., et al., taken on
7	me -- 4:24 p.m. We're back on the record.	16:24	7	August 2, 2017, that I have made such corrections as
8	MR. WILSON: I don't have any further	16:24	8	appear noted herein in ink, initialed by me; that my
9	questions.	16:24	9	testimony as contained herein, as corrected, is true
10	So subject to our comments before about the	16:24	10	and correct.
11	production of documents, we -- we can conclude for	16:24	11	
12	today, unless you have further questions -- or unless	16:24	12	DATED this ____ day of _____, 2017,
13	you have questions.	16:24	13	at _____.
14	MR. SCHUMAN: Same reservation for Otto	16:24	14	
15	Trucking. We have nothing further at this time.	16:24	15	
16	Thank you for your time.	16:24	16	
17	THE WITNESS: Thank you.	16:24	17	_____ SIGNATURE OF WITNESS
18	MR. WILSON: Thank you.	16:24	18	
19	THE VIDEOGRAPHER: Don't forget your	16:24	19	
20	microphones, please.	16:24	20	
21	This is the end of Video No. 4. This	16:24	21	
22	concludes the deposition of John Krafcik on	16:24	22	
23	August 2nd, 2017.	16:24	23	
24	The original video will be retained by	16:24	24	
25	Veritext Legal Solutions.	16:24	25	
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1	The time is 4:25 p.m. We're off the record.	16:24	1	CERTIFICATE OF REPORTER
2	(WHEREUPON, the deposition ended	16:25	2	
3	at 4:25 p.m.)	16:25	3	I, ANDREA M. IGNACIO, hereby certify that the
4	---oOo---		4	witness in the foregoing deposition was by me duly
5			5	sworn to tell the truth, the whole truth, and nothing
6			6	but the truth in the within-entitled cause;
7			7	That said deposition was taken in shorthand
8			8	by me, a disinterested person, at the time and place
9			9	therein stated, and that the testimony of the said
10			10	witness was thereafter reduced to typewriting, by
11			11	computer, under my direction and supervision;
12			12	That before completion of the deposition,
13			13	review of the transcript [x] was [] was not
14			14	requested. If requested, any changes made by the
15			15	deponent (and provided to the reporter) during the
16			16	period allowed are appended hereto.
17			17	I further certify that I am not of counsel or
18			18	attorney for either or any of the parties to the said
19			19	deposition, nor in any way interested in the event of
20			20	this cause, and that I am not related to any of the
21			21	parties thereto.
22			22	Dated: 8/3/2017
23			23	
24			24	 ANDREA M. IGNACIO,
25			25	RPR, CRR, CCRR, CLR, CSR No. 9830
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